

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of : **Confirmation No. 2060**
Yasumori HINO et al. : **Mail Stop: PCT**
Serial No. 10/529,147 : **Attorney Docket No. 2005_0480A**
Filed March 24, 2005 :

OPTICAL RECORDING MEDIUM AND
RECORDING APPARATUS THEREOF
[Corresponding to PCT/JP03/12133
Filed September 24, 2003]

THE COMMISSIONER IS AUTHORIZED
TO CHARGE ANY DEFICIENCY IN THE
FEES FOR THIS PAPER TO DEPOSIT
ACCOUNT NO. 23-0975

REPLY TO NOTIFICATION OF MISSING REQUIREMENTS
UNDER 35 USC 371

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the PTO Notification of Missing Requirements Under 35 USC 371 dated August 18, 2005, submitted herewith is a Declaration for the above application executed by the inventors.

Also enclosed are the PTO surcharge of **\$130.00** required by 37 CFR 1.492(e), and a copy of the PTO notice.

It is respectfully submitted that the application is now complete, and early indication thereof is now requested.

Respectfully submitted,

Yasumori HINO et al.

By



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Attorney for Applicants

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August 31, 2005



UNITED STATES PATENT AND TRADEMARK OFFICE

Rec'd PTO

31 AUG 2005

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
 www.uspto.gov

U.S. APPLICATION NUMBER NO. 10/529,147	FIRST NAMED APPLICANT Yasumori Hino	ATTY. DOCKET NO. 2005_0480A
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INTERNATIONAL APPLICATION NO. PCT/JP03/12133

I.A. FILING DATE 09/24/2003	PRIORITY DATE 09/24/2002
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WENDEROTH, LIND & PONACK, L.L.P.
 2033 K STREET N. W.
 SUITE 800
 WASHINGTON, DC 20006-1021

COPY

CONFIRMATION NO. 2060
 371 FORMALITIES LETTER
 OC000000016803919
 OC000000016803919

Date Mailed: 08/18/2005

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 03/24/2005
- English Translation of the IA filed on 03/24/2005
- Copy of the International Search Report filed on 03/24/2005
- Copy of IPE Report filed on 03/24/2005
- Copy of Annexes to the IPE filed on 03/24/2005
- English Translation of Annexes to the IPE filed on 03/24/2005
- Preliminary Amendments filed on 03/24/2005
- Information Disclosure Statements filed on 03/24/2005
- Oath or Declaration filed on 03/24/2005
- Request for Immediate Examination filed on 03/24/2005
- Copy of references cited in ISR filed on 03/24/2005
- U.S. Basic National Fees filed on 03/24/2005
- Priority Documents filed on 03/24/2005
- Power of Attorney filed on 03/24/2005
- Specification filed on 03/24/2005
- Claims filed on 03/24/2005
- Abstracts filed on 03/24/2005
- Drawings filed on 03/24/2005

RECEIVED
 AUG 24 2005
 WENDEROTH, LIND & PONACK

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
 - is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.

- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.16(f) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fees required for this application is **\$130** for a Large Entity:

- **\$130** Surcharge.

Additionally the following defects have been observed:

- Annexes have not been entered because not page per page..

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

BARBARA A CAMPBELL

Telephone: (703) 308-9140 EXT 217

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/529,147	PCT/JP03/12133	2005_0480A

JCO7 Re PCT/PTO 31 AUG 2005

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PATENT OFFICE FEE TRANSMITTAL FORM

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Attached hereto is a check in the amount of \$130.00 to cover Patent Office fees relating to filing the following attached papers:

Late filing of executed Declaration \$130.00

A duplicate copy of this paper is being submitted for use in the Accounting Division, Office of Finance.

The Commissioner is authorized to charge any deficiency or to credit any overpayment associated with this communication to Deposit Account No. 23-0975, with the EXCEPTION of deficiencies in fees for multiple dependent claims in new applications.

09/06/2005 LLANDGRA 00000049 10529147

01 EC:1617

130.00 0P

Respectfully submitted,

Yasumori HINO et al.

By Michael S. Huppert
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August 31, 2005

[Check No. 69942]
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